

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 20202 of 2004**

Between:

K. Shantaiah S/o Sambaiah  
Sri Mallanna Swamy Temple) Mallannapet, Village,  
Gollapally Mandal, Karimnagar District

**..... PETITIONER**

AND

The Assistant Commissioner of Endowments,  
Karimnagar district.

**.....RESPONDENT**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Certiorari calling for the records of the respondent in proceedings Rc. No. B/1613/2004 dt 16-10-2004 and quash the same as illegal, unsustainable and without jurisdiction.

**Counsel for the Petitioner: MR.T.SRIKANTH REDDY**

**Counsel for the Respondent: GP FOR ENDOWMENTS**

**The Court made the following :**

**ORDER:**

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This writ petition is filed aggrieved by the order passed by the respondent-Assistant Commissioner of Endowments, Karimnagar, dated 16-10-2004, where under the petition filed by the petitioner seeking a declaration that he is a member of the Founder family of Sri Mallikarjuna Swamy Temple, Mallannapet Village was rejected holding that he belongs to Archaka family but not a member of Founder family. Against the said order an alternative remedy of Revision is available under the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, and without exhausting the said alternative remedy, the petitioner cannot invoke the jurisdiction of this Court under Article 226 of the Constitution of India.

In the circumstances, the writ petition is disposed of granting leave and liberty to the petitioner to work out the appropriate remedy as available under the statute. No costs.

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03-11-2004

vs

To

1. The Assistant Commissioner of Endowments,

Karimnagar district.

2. 2CCs to the G.P for Endowments, High Court Buildings,

Hyderabad(O.U.T).

3. 2CD copies